

Form PTO-1390

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

EXPRESS MAIL LABEL NO.: EL 979108831 US

ATTORNEY'S DOCKET NUMBER: 04156.0012U1

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/530,224

PRIORITY DATE CLAIMED

October 4, 2002

INTERNATIONAL APPLICATION NO.

PCT/EP2003/011027

INTERNATIONAL FILING DATE

October 6, 2003

TITLE OF INVENTION:

HIGH YIELD HETEROLOGOUS EXPRESSION IN CELL LINES FOR EXPRESSION OF GENE
PRODUCTS WITH HUMAN GLYCOSYLATION PATTERN #6

APPLICANT(S) FOR DO/EO/US:

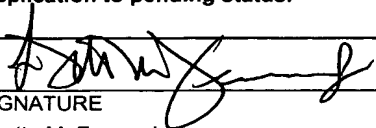
Volker SANDIG, Karsten WINKLER, Uwe MARX and Tobias WERMELINGER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825. The contents of the paper copy and the computer-readable form of the Sequence Listing submitted herewith are the same and include no new matter, as required by 37 C.F.R. 1.821(f).
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/530,224		INTERNATIONAL APPLICATION NO. PCT/EP003/011027		ATTORNEY DOCKET NUMBER 04156.0012U1	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee\$300.00				\$ 0.00	
22. <input type="checkbox"/> Examination fee If written opinion prepared by ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$ 0.00 All other situations\$200.00				\$ *****	
23. <input type="checkbox"/> Search Fee If written opinion prepared by ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$ 0.00 If Search fee (37 CFR 1.445(a)(2) in International Application to USPTO as ISA.....\$100.00 ISR prepared by an ISA other than the US and provided to USPTO.....\$400.00 All other situations\$500.00				\$ *****	
TOTAL OF 21, 22 AND 23 =				\$ *****	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	No. of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100	/ 50 =		X \$250	\$ ****	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ ****	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	[****] - 20 =	*****	X \$50.00	\$*****	
Independent claims	[***] - 3 =	*****	X \$200.00	\$*****	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$*****	
TOTAL OF ABOVE CALCULATIONS =				\$*****	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2 -				\$*****	
SUBTOTAL =				\$*****	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 months <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$*****	
TOTAL NATIONAL FEE =				\$*****	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property +				\$*****	
TOTAL FEES ENCLOSED =				\$ 0.00	
				Amount to be refunded:	\$
				charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No.14-0629 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account No. 14-0629. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>e. <input checked="" type="checkbox"/> Pursuant to 37 C.F.R. §1.136(a)(3), the Commissioner is hereby requested and authorized to treat any concurrent or future reply in the above-identified application, requiring a petition for an extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b) must be filed and granted to restore the application to pending status.</p>					
<p>SEND ALL TO THE ADDRESS ASSOCIATED WITH: : Customer No. 23859</p>					
<p> SIGNATURE Lizette M. Fernandez NAME 46,694 REGISTRATION NUMBER</p>					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
SANDIG, et al.)	Art Unit: unassigned
)	
Application No. 10/530,224)	Examiner: unassigned
)	
International Filing Date: October 6, 2003)	Confirmation No. 1743
)	
For: HIGH YIELD HETEROLOGOUS)	
EXPRESSION CELL LINES FOR)	
EXPRESSION OF GENE PRODUCTS)	
WITH HUMAN GLYCOSYLATION)	
PATTERN)	

**RESPONSE TO NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR
PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer Number 23859

October 13, 2005

Sir:

In response to the Notification to Comply with Requirements mailed September 28,
2005 in the above-referenced patent application, enclosed are:

1. a diskette with the Sequence Listing in computer readable form as required by 37 CFR 1.821(e);
2. a paper copy of the Sequence Listing (13 pages)
3. a copy of the "Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures."

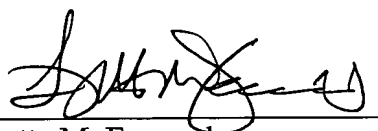
ATTORNEY DOCKET NO. 04156.0012U1
EXPRESS MAIL LABEL NO. EL979108831 US
Application No. 10/530,224

Please be advised that the contents of the paper and the computer readable form of the Sequence Listing submitted herewith in the above-identified patent application are the same and include no new matter, as required by 37 C.F.R. 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

No fee is believed to be due; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.



Lizette M. Fernandez
Registration No. 46,692

NEEDLE & ROSENBERG, P.C.
Customer Number 23859
(678) 420-9300
(678) 420-9301 (fax)